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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/826,101

**Applicant(s)**

WU ET AL.

**Examiner**

Joseph T. Phan

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 03/25/2006 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

More specifically, reference DE 100 28869 A1 is in a foreign language and cannot be found in an english translation.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-43 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 10, 24, and 36 recites the phrases "voice/text", "person/automated", "text/speech", "speech/text", or "input/output" which are unclear and confusing since the claims refers to all the combinations of the phrases and therefore it is not known if these phrases refer to for example, 'text and speech' or 'text or speech' or 'text-to-speech' conversion as in for example claim 36 which comprises of all the combinations and makes it confusing.

It is noted that claims 1-43 should be recited like in claim 46, where the phrases have definite metes and bounds. The slashes(/) causes the claims to be indefinite.

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Appropriate clarification and/or correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-54 rejected under 35 U.S.C. 102(b) as being anticipated by Brunet et al., Patent #5,995,590.**

Regarding claim 1, Brunet teaches a communication device capable of enabling a user to select whether they want to use voice communications, text communications or voice/text communication to communicate with a person/automated phone service using a remote communication device(14a/46a Fig.14 and col.4 lines 9-45).

Regarding claim 2, Brunet teaches the communication device of Claim 1, wherein said remote communication device is a voice-only-capable communication device(34a/40a Fig.14 and col.4 lines 9-45).

Regarding claim 3, Brunet teaches the communication device of Claim 1, wherein said remote communication device is a text-only-capable communication device(34a/40a Fig.14 and col.4 lines 9-45).

Regarding claim 4, Brunet teaches the communication device of Claim 1, wherein said remote communication device is a voice-and-text capable communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 5, Brunet teaches the communication device of Claim 1, wherein said

user can change back-and-forth between voice, text and voice/text communications during a conversation with the person/automated phone service using the remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 6, Brunet teaches the communication device of Claim 1, wherein said user can listen to voice communications received from the remote communication device and at the same time view a text version of the voice communications received from the remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 7, Brunet teaches the communication device of Claim 1, wherein said user can view text communications received from the remote communication device and at the same time hear a voice version of the text communications received from the remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 8, Brunet teaches the communication device of Claim 1, further comprising a display on which the user can view and input text communication(Fig.14 and col.4 lines 9-45).

Regarding claim 9, Brunet teaches the communication device of Claim 8, wherein said display is a touch- screen display or a stylus-activated display(Fig.14 and col.4 lines 9-45).

**Regarding claim 10, Brunet** teaches a communication device comprising:  
a selector for enabling a user to select and activate(col.2 lines 28-31) one of the following:  
a speech module for enabling the user to use voice communications to interact with a voice-capable remote communication device(14a/46a Fig.14);  
a text/speech module for enabling the user to use voice communications to interact with a text-capable remote communication device(14a Fig.14 and 40a Fig.14);

a text module for enabling the user to use text communications to interact with a text-capable remote communication device(12a/38a Fig.14);

a speech/text module for enabling the user to use text communications to interact with a voice-capable remote communication device(Fig.14);

a speech/text module and a speech module for enabling the user to use voice/text communications to interact with a voice-capable remote communication device(Fig.14 and col.4 lines 9-45); or

a text/speech module and a text module far enabling the user to use voice/text communications to interact with a text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 11, Brunet teaches the communication device of Claim 10, wherein Said user can also use the selector to select and activate a speech module and a text module so that the user can use voice/text communications to interact with a remote communication device configured like said communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 12, Brunet teaches the communication device of Claim 10, wherein when said speech module is selected and activated then the user can use voice communications to interact with the voice-capable remote communication device by:

receiving voice communications from a speech input/output module that were processed by said speech module after being received as voice communications from the voice-capable remote communication device; and

outputting voice communications into said speech input/output module which are processed by said speech module and then transmitted as voice communications to the voice- capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 13, Brunet teaches the communication device of Claim 10, wherein when said module is selected and activated then the user can use voice communications to interact with the text-capable remote communication device by: receiving voice communications from a speech input/output module which have been processed by said text/speech module and converted into the received voice communication from text communications transmitted from the text-capable remote communication device; and outputting voice communications into said speech input/output module which are processed by said text/speech module and converted into text communications that are transmitted to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 14, Brunet teaches the communication device of Claim 10, wherein when said text module is selected and activated then the user can use text communications to interact with the text-capable remote communication device by: receiving text communications from a text input/output module which have been processed by said text module after being received as text communications from the text-capable remote communication device; and outputting text communications into said text input/output module which are processed by said text module and transmitted as text communications to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 15, Brunet teaches the communication device of Claim 10, wherein when said speech/text module is selected and activated then the user can use text communications to interact with the voice-capable remote communication device by: receiving text communications from a text input/output module which have been processed by

said speech/text module and converted into the received text communications from voice communication transmitted from the voice-capable remote communication device; and outputting text communications into said text input/output module which are processed by said speech/text module and converted into voice communications that are transmitted to the voice-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 16, Brunet teaches the communication device of Claim 10, wherein when said speech/text module and said speech module are selected and activated then the user can use voice/text communications to interact with the voice-capable remote communication device by: receiving voice communications from a speech input/output module that were processed by said speech module after being received as voice communication from the voice-capable remote communication device and at the same time receiving text communications from a text input/output module which have been processed by said speech/text module and converted into the received text communications from the voice communications transmitted from the voice-capable remote communication device; and outputting voice communications into said speech input/output module which are processed by said speech module and then transmitted as voice communication to the voice-capable remote communication device or outputting text communications into said text input/output module which are processed by said speech/text module and converted into voice communications that are transmitted to the voice-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 17, Brunet teaches the communication device of Claim 10, wherein when said text/speech module and said text module are selected and activated then the user can use voice/text communications to interact with the text-capable remote communication device



by:

receiving text communications from a text input/output module which have been processed by said text module after being received as text communications from the text-capable remote communication device and at the same time receiving voice communication from a speech input/output module which have been processed by said text/speech module and converted into the received voice communications from text communications transmitted from the text-capable remote communication device(Fig.14 and col.14 lines 9-45); and  
outputting text communications into said text input/output module which are processed by said text module and transmitted as text communications to the text-capable remote communication device or outputting voice communications into said speech input/output module which are processed by said text/speech module and converted into text communications that are transmitted to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 18, Brunet teaches the communication device of Claim 10, further comprising a display on which the user can view and input text communications(Fig.14 and col.4 lines 9-45).

Regarding claim 19, Brunet teaches the communication device of Claim 18, wherein said display is a touch- screen display or a stylus-activated display(Fig.14 and col.4 lines 9-45).

Regarding claim 20, Brunet teaches the communication device of Claim 19, wherein said text communications are in a form of a menu capable of being folded and unfolded in a display area of said display(Fig.14 and col.4 lines 9-45).

Regarding claim 21, Brunet teaches the communication device of Claim 10, wherein said text communications are instant messages(Fig.14 and col.4 lines 9-45).

Regarding claim 22, Brunet teaches the communication device of Claim 10, wherein said communication device is:

a land-line phone; a graphical proxy terminal; a mobile phone; a personal computer; a personal digital assistant; a teletype/teleprinter (TTY); or a telecommunication device for a deaf user (TDD) (Fig.14 and col.4 lines 9-45).

Regarding claim 23, Brunet teaches the communication device of Claim 10, wherein said user can use speech commands to have a specific task performed by said communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 24, Brunet teaches a method for using a communication device, said method comprising the step of:

enabling a user to select whether they want to use voice communications, text communications or voice/text communications to communicate with a person/automated phone service using a remote communication device by letting the user select and activate one of the following:

a speech module for enabling the user to use voice communications to interact with a voice-capable remote communication device(Fig.14);

a text/speech module for enabling the user to use voice communications to interact with a text-capable remote communication device;

a text module for enabling the user to use text communications to interact with a text-capable remote communication device;

a speech/text module for enabling the user to use text communications to interact with a voice-capable remote communication device;

a speech/text module and a speech module for enabling the user to use voice/text

communications to interact with a voice-capable remote communication device; or  
a text/speech module and a text module for enabling the user to use voice/text communications  
to interact with a text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 25, Brunet teaches the method of Claim 24, wherein said user can also  
use the selector to select and activate a speech module and a text module so that the user can use  
voice/text communications to interact with the remote communication device(Fig.14 and col.4  
lines 9-45).

Regarding claim 26, Brunet teaches the method of Claim 24, wherein when said speech  
modulo is selected and activated then the user can use voice communications to interact with the  
voice-capable remote communication device by:  
receiving voice communications from a speech input/output module that were processed by said  
speech module after being received as voice communications from the voice-capable remote  
communication device; and  
outputting voice communications into said speech input/output module which are processed by  
said speech module and then transmitted as voice communications to the voice- capable remote  
communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 27, Brunet teaches the method of Claim 24, wherein when said  
text/speech module is selected and activated then the user can use voice communications to  
interact with the text- capable remote communication device by:  
receiving voice communications from a speech input/output module which have been processed  
by said text/speech module and converted into the received voice communications from text  
communications transmitted from the text-capable remote communication device; and

outputting voice communications into said speech input/output module which are processed by said text/speech module and converted into text communications that are transmitted to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 28, Brunet teaches the method of Claim 25, wherein when said text module is selected and activated then the user can use text communications to interact with the text-capable remote communication device by:

receiving text communications from a text input/output module which have been processed by said text module after being received as text communications from the text-capable remote communication device(Fig.14); and

outputting text communications into said text input/output module which are processed by said text module and transmitted as text communications to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 29, Brunet teaches the method of Claim 24, wherein when said speech/text module is selected and activated then the user can use text communications to interact with the voice- capable remote communication device by:

receiving text communications from a text input/output module which have been processed by said speech/text module and converted into the received text communications from voice communications transmitted from the voice-capable remote communication device; and outputting text communications into said text input/output module which are processed by said speech/text module and converted into voice communications that are transmitted to the voice-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 30, Brunet teaches the method of Claim 24, wherein when said

speech/text module and said speech module are selected and activated then the user can use voice/text communications to interact with the voice-capable remote communication device by: receiving voice communications from a speech input/output module that were processed by said speech module after being received as voice communications from the voice-capable remote communication device and at the same time receiving text communications from a text input/output module which have been processed by said speech/text module and converted into the received text communications from the voice communications transmitted from the voice-capable remote communication device; and out-putting voice communications into said speech input/output module which are processed by said speech module and then transmitted as voice communications to the voice-capable remote communication device or outputting text into said text input/output module which are processed by said speech/text module and converted into voice communications that are transmitted to the voice-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 31, Brunet teaches the method of Claim 24, wherein when said text/speech module and said text module are selected and activated then the user can use voice/text communications to interact with the text-capable remote communication device by: receiving text communications from a text input/output module which have been processed by said text module being received text communications from the text-capable remote communication device and at the same time receiving voice communications from a speech input/output module which have been processed by said text/speech module and converted into the received voice communications from text communications transmitted from the text-capable

remote communication device(Fig.14); and  
outputting text communications into said text input/output module which are processed by said text module and transmitted as text communications to the text-capable remote communication device or out-putting voice communications into said speech input/output module which are processed by said text/speech module and converted into text communications that are transmitted to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 32, Brunet teaches the method of Claim 24, wherein said communication device includes a display on which the user can view and input text communications(Fig.14 and col.4 lines 9-45).

Regarding claim 33, Brunet teaches the method of Claim 32, wherein said display is a touch-screen display or a stylus-activated display(Fig.14 and col.4 lines 9-45).

Regarding claim 34, Brunet teaches the method of Claim 24, wherein said text communications are instant messages(Fig.14 and col.4 lines 9-45).

Regarding claim 35, Brunet teaches the method of Claim 24, wherein said communication device is: a land-line phone; a graphical proxy terminal; a mobile phone; a personal computer; a personal digital assistant; a teletype/teleprinter (TRY); or a telecommunication device for a deaf user (TDD) (Fig.14 and col.4 lines 9-45).

Regarding claim 36, Brunet teaches a method for making a communication device that enables a user to select whether they want to use voice communications, text communications or voice/text communications to communicate with a person/automated phone service using a remote communication device, said method comprising the steps of:  
installing, within said communication device, a speech module, a text module, a speech/text

module, a text/speech module, a speech input/output module and a text input/output module(Fig.14);

installing, within said communication device, a selector that enables a user to select and activate said speech module, said text/speech module, said text module and/or said speech/text module(Fig.14);

wherein when said speech module is selected and activated then the user can use voice communications to interact with the person/automated phone service using a voice-capable remote communication device(Fig.14);

wherein when said text/speech module is selected and activated then the user can use voice communications to interact with the person/automated phone service using a text-capable remote communication device(Fig.14);

wherein when said text module is selected and activated then the user can use text communications to interact with the person/automated phone service using a text-capable remote communication device(Fig.14);

wherein when said speech/text module is selected and activated then the user can use text communications to interact with the person/automated phone service using a voice-capable remote communication device(Fig.14);

wherein when said speech/text module and said speech module are selected and activated then the user can use either voice communications or text communications to interact with the person/automated phone service using a voice-capable remote communication device; and wherein when said text/speech module and said text module are selected and activated then the user can use either voice communications or text communications to interact with the

person/automated phone service using a text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 37, Brunet teaches the method of Claim 36, wherein said user can also use the selector to select and activate said speech module and said text module so that the user can use voice/text communications to interact with the person/automated phone service using the remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 38, Brunet teaches the method of Claim 36, wherein when said speech module is selected and activated then the user can use voice communications to interact with the person/automated phone service using the voice-capable remote communication device by: receiving voice communications from said speech input/output module that were processed by said speech module after being received as voice communications from the voice- capable remote communication device; and outputting voice communications into said speech input/output module which are processed by said speech module and then transmitted as voice communications to the voice- capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 39, Brunet teaches the method of Claim 36, wherein when said text/speech module is selected and activated then the user can use voice communications to interact with the person/automated phone service using the text-capable remote communication device by: receiving voice communications from said speech input/output module which have been processed by said text/speech module and converted into the received voice communications from text communications transmitted from the text-capable remote communication device; and



outputting voice communications into said speech input/output module which are processed by said text/speech module and converted into text communications that are transmitted to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 40, Brunet teaches the method of Claim 36, wherein when said text module is selected and activated then the user can use text communications to interact with the person/automated phone service using the text-capable remote communication device by: receiving text communications from said text input/output module which have been processed by said text module after being received as text communications from the text-capable remote communication device; and output-ring text communications into said text input/output module which are processed by said text module and transmitted as text communications to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 41, Brunet teaches the method of Claim 36, wherein when said speech/text module is selected and activated then the user can use text communications to interact with the person/automated phone service using the voice-capable remote communication device by: receiving text communications from said text input/output module which have been processed by said speech/text module and converted into the received text communications from voice communications transmitted from the voice-capable remote communication device; and outputting text communications into said text input/output module which are processed by said speech/text module and converted into voice communications that are transmitted to the voice-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 42, Brunet teaches the method of Claim 36, wherein when said speech/text module and said speech module are selected and activated then the user can use either voice communications or text communications to interact with the person/automated phone service using the voice-capable remote communication device by: receiving voice communications from said speech input/output module that were processed by said speech module after being received as voice communications from the voice-capable remote communication device and at the same time receiving text communications from a text input/output module which have been processed by said speech/text module and converted into the received text communications from the voice communications transmitted from the voice-capable remote communication device(Fig.14); and outputting voice communications into said speech input/output module which are processed by said speech module and then transmitted as voice communications to the voice-capable remote communication device or outputting text communications into said text input/output module which are processed by said speech/text module and converted into voice communications that are transmitted to the voice-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 43, Brunet teaches the method of Claim 36, wherein when said text/speech module and said text module are selected and activated then the user can use either voice communications or text communications to interact with the person/automated phone service using the text-capable remote communication device by: receiving text communications from said text input/output module which have been processed by said text module being received as text communications from the text-capable remote communication device and at the same time receiving voice communications from a speech

input/output module which have been processed by said text/speech module and converted into the received voice communications from text communications transmitted from the text-capable remote communication device; and  
outputting text communications into said text input/output module which are processed by said text module and transmitted as text communications to the text-capable remote communication device or outputting voice communications into said speech input/output module which are processed by said text/speech module and converted into text communications that are transmitted to the text-capable remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 44, Brunet teaches the method of Claim 36, further comprising the step of installing, within the communication device, a display on which the user can view and input text communications(Fig.14 and col.4 lines 9-45).

Regarding claim 45, Brunet teaches the method of Claim 44, wherein said display is a touch-screen display or a stylus-activated display(Fig.14 and col.4 lines 9-45).

Regarding claim 46, Brunet teaches a communication device, comprising:  
a speech module for receiving and transmitting audio communication(Fig.14);  
a speech-to-text conversion module for receiving audio communication, translating the audio communication to text and displaying a text message(Fig.14);  
a text-to-speech conversion module for receiving a text communication, translating the text communication to audio communication and out-putting the audio communication(Fig.14); and  
a user operable switch to select multiple modes of operation of the communication device such that speech or text can be outputted or such that speech and text are both concurrently outputted(Fig.14 and col.4 lines 9-45).

Regarding claim 47, Brunet teaches the communication device of Claim 46, further comprising a display on which the user can view and input text(Fig.14 and col.4 lines 9-45).

Regarding claim 48, Brunet teaches the communication device of Claim 47, wherein said display is a touch- screen display or a stylus-activated display(Fig.14 and col.4 lines 9-45).

Regarding claim 49, Brunet teaches a communication device capable of interworking between a voice application and a text application which enables a user to select whether they want to use voice communications or text communications to communicate with a user of a remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 50, Brunet teaches the communication device of Claim 49, wherein said remote communication device is a voice-only-capable communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 51, Brunet teaches the communication device of Claim 49, wherein said remote communication device is a text-only-capable communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 52, Brunet teaches the communication device of Claim 49, wherein said remote communication device is a voice-and-text capable communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 53, Brunet teaches the communication device of Claim 49, wherein said user is capable of changing back-and-forth between voice communications and text communications during a conversation with the user of the remote communication device(Fig.14 and col.4 lines 9-45).

Regarding claim 54, Brunet teaches the communication device of Claim 49, wherein said

user is capable of selecting whether they want to use voice/text communication to communicate with the user of the remote communication device (Fig.14 and col.4 lines 9-45).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph T Phan/  
Examiner, Art Unit 2614  
/Curtis Kuntz/  
Supervisory Patent Examiner, Art Unit 2614